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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA, )  
 )  
Plaintiff, )  
 )  
v. )  
 )  
DANIEL IVAN PORTER, )  
 )  
Defendant. )

No. CR 07 0045 SI

**STIPULATION AND [PROPOSED]  
ORDER RE: EVIDENCE OBTAINED  
IN A CRIMINAL INVESTIGATION**

The United States and defendant Daniel Ivan Porter ("Porter") stipulate and agree to the following regarding release of items seized during the investigation of the above-captioned case:

1. Search of 1146 Gassoway Rd. Apt. 10, McKinleyville, CA: Release all items to Porter or his representative.

2. Search of 1226 G St. Apt. 4, Eureka, CA: Release all items to Porter, Katie Nichols Porter, or their representatives.

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Stipulation Re: Evidence, CR 07 45 SI

3. Records searches of Yahoo, Mfire, SBC Internet Services, Cingular Wireless, Cellular, Sprint, any cellular telephone towers, and any cell phones or computers: Destroy all items.

IT IS SO STIPULATED.

DATED: November 30, 2007


/s  
ROBERT DAVID REES  
Assistant United States Attorney

DATED: November 30, 2007

/s  
STEVEN KALAR, ESQ.  
Attorney for Defendant Porter

IT IS SO ORDERED.

DATED: 12/3/07

  
HON. SUSAN ILLSTON  
United States District Judge